

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 4. This sheet, which includes Fig. 4, replaces the original sheet including Fig. 4. In Fig. 4, a few of the reference numbers have been corrected.

Attachment: Replacement sheet

REMARKS

Applicants appreciate the Examiner's thorough examination of the application and request reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03. Applicants respectfully request reconsideration of the present application in view of the above amendments and the following remarks.

Through the above amendments, Applicants have amended claim 8 to include the features of original claim 15 for clarity purposes, and claims 18 and 25 to change the dependency of the claims. Additionally, claims 15-17, 19, 20 and 26 have been cancelled through the above amendments. No new matter has been added through the above claim amendments.

Drawings

The Examiner objected to the drawings stating that reference characters "26 and "27" have been used to designate both side gears of the same size and side gears of different sizes. Applicants have amended Fig. 4 to change reference characters "26" and "27" to "26'" and "27'" respectively, to correspond to the specification at page 10, lines 4-5. Accordingly, Applicants submit that the objections to the drawings have been overcome.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claims 8-14 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Kuwahara (U.S. Patent No. 5,271,479), in view of Trbojevich (U.S. Patent No. 2,313,183), and claims 8-11, 15-23 and 25-26 under 35 U.S.C. 103(a) as being unpatentable over Kuwahara in view of Trbojevich. Applicants respectfully traverse the rejection.

Independent claim 8 as amended is directed to a transfer box comprising: a housing, an input shaft, a first output shaft extending coaxially relative to said input shaft, a second output shaft extending parallel to said first output shaft and said input shaft, and a differential gear assembly arranged between said input and first output shafts, wherein the input shaft carries a spider member with a plurality of radial bearing arms for the differential gears, wherein a first side gear is connected in a rotationally fast way to the first output shaft and wherein a second side gear is rotatably supported on the input shaft and drives the second output shaft, wherein the differential gears are spur gears and the side gears are crown gears and wherein the teeth of the differential gears engage the teeth of the side gears, wherein the first and second side gears are axially supported on one another, wherein a carrier is firmly connected to one of the first and second side gears and extends over the other one of the first and second side gears, wherein the first and second side gears are axially supported on one another via said carrier.

As noted above, Applicants have incorporated the features of original claim 15 into independent claim 8. The Examiner alleged that Kuwahara discloses a transfer box, “wherein the side gears are axially supported on one another, wherein at a first one of the side gears 56, there is axially firmly arranged a carrier 58 which extends over the other one of the side gears and via which the other one of the side gears is axially supported on the first one of the side gears (via 64).” However, Kuwahara fails to disclose that the first and second side gears are axially supported on one another, wherein a carrier is firmly connected to one of the first and second side gears and extends over the other one of the first and second side gears, wherein the first and second side gears are axially supported on one another via said carrier as claimed by Applicants. Fig. 2 of Kuwahara is reproduced below:

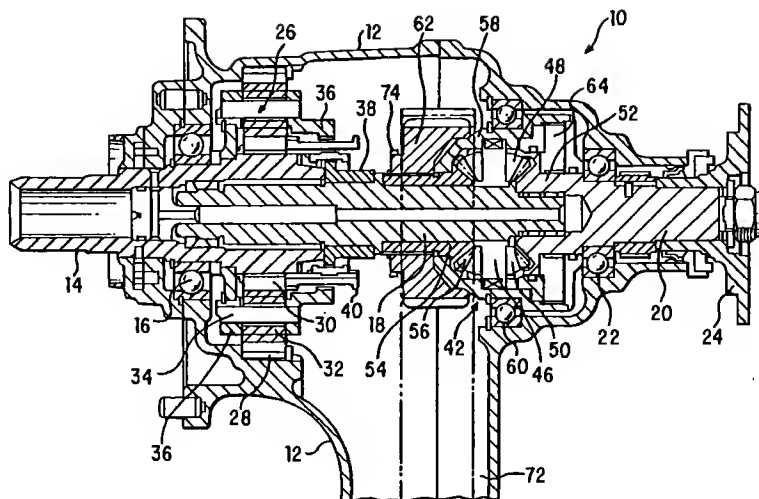


FIG. 2

Kuwahara is directed to a transfer apparatus for a vehicle. A first differential side gear 52 is formed as a unitary body with the end of the output shaft 20 at which the input shaft 18 is supported so as to be rotatable. An output sleeve 54 is attached to and coaxial with input shaft 18 so as to be rotatable. A second differential side gear 56 is formed together as a unitary body with the end of the output sleeve 54 near the output shaft 20. Kuwahara also discloses a differential casing 58 which supports the radially outer ends of pinion shafts 46, and is able to rotate together with the pinion shafts 46 around the axis of the input shaft 18. Differential casing 58 extends parallel to, and coaxially with, output shaft 20. See Col 5, lines 16-31 and Fig. 2 of Kuwahara.

However, the differential casing of Kuwahara is not firmly connected to one of the differential side gears as claimed by Applicants. As shown above, second differential side gear 56 of Kuwahara is unitarily formed with output sleeve 54, which is attached to input shaft 18. Differential casing 58, which is rotatable about input shaft 18, cannot be connected to second differential side gear 56. Such a connection would connect differential casing 58 to input shaft 18, thus preventing differential casing 58 from being able to rotate about input shaft 18. Accordingly, it is clear that differential casing 58 is not connected to second differential side gear 56.

Additionally, as noted above, first differential side gear 52 of Kuwahara is unitarily formed with output shaft 20, and differential casing 58 extends parallel to, and coaxially with output shaft

20. Differential casing 58 is not connected to first differential side gear 52, as output shaft 20 can freely rotate relative to differential casing 58. See Fig. 2 of Kuwahara. Such a connection would prevent output shaft 20 from being able to freely rotate. Accordingly, it is clear that differential casing 58 is not connected to first differential side gear 52.

As differential casing 58 of Kuwahara is not connected to either the first or second differential side gears 52, 56, Kuwahara clearly fails to disclose a carrier which is firmly connected to one of the first and second side gears and extends over the other one of the first and second side gears as claimed by Applicants. Trbojevich also fails to disclose this feature. Therefore, independent claim 8, and dependent claims 9-14, 18 and 21-25 are patentable over the references for at least this reason. Moreover, it should be noted that dependent claims 9-14, 18 and 21-25 each contain additional recitations that are separately patentable as well. Accordingly, withdrawal of the rejections is respectfully requested.

Conclusion

In view of the above amendments and remarks, this pending application is in condition for allowance. If, however, there are any outstanding issues that can be resolved by telephone conference, the Examiner is earnestly encouraged to telephone the undersigned representative.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66968-0030 from which the undersigned is authorized to draw.

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Respectfully submitted,

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